

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

AMERICAN SOUTHERN INSURANCE
COMPANY,

Plaintiff,

v.

No. 06-2590 B

MAVERICK CONSTRUCTION &
ENGINEERING CORP., TRACI SKINNER
and MICHAEL SKINNER,

Defendants.

ORDER ADOPTING THE REPORT AND RECOMMENDATION
OF THE MAGISTRATE JUDGE, GRANTING PLAINTIFF'S MOTION TO SET ASIDE
CLERK'S ORDER DENYING ENTRY OF DEFAULT, AND DIRECTING
CLERK TO ENTER DEFAULT AGAINST EACH OF THE DEFENDANTS

This cause is before the Court in connection with the report and recommendation of the magistrate judge on the motion of the Plaintiff, American Southern Insurance Company ("ASIC"), for an order setting aside the Clerk's order denying its motion for entry of default and directing the Clerk to enter default against each of the Defendants. In a report and recommendation filed March 9, 2007, the magistrate judge recommended that the motion be granted. According to the Court's docket, no objections to the magistrate judge's report and recommendation have been filed pursuant to 28 U.S.C. § 636(b)(1)(C).

The Court has reviewed the magistrate judge's report and recommendation, and the entire record of the proceeding before the magistrate judge. No objections having been filed to the report and recommendation, the Court ADOPTS the magistrate judge's report and recommendation.

Based on the foregoing, the magistrate judge's report and recommendation filed March 9,

2007 is hereby ADOPTED and ASIC's motion to set aside the Clerk's order denying entry of default is GRANTED. The Clerk is DIRECTED to enter default against each of the Defendants, Maverick Construction & Engineering Corp., Traci Skinner and Michael Skinner, in accordance with Rule 55(a) of the Federal Rules of Civil Procedure.

IT IS SO ORDERED this 30th day of March, 2007.

s/ J. DANIEL BREEN
UNITED STATES DISTRICT JUDGE